



ATTORNEY DOCKET NO. 23232.0002US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Rohde et al.) Art Unit: 1638
Application No. 09/462,955) Examiner: Cynthia E. Collin
Filing Date: May 16, 2000) Confirmation No. 5703
For: "SPECIFIC VIRUS DNA FRAGMENTS)
AND THEIR USE AS PROMOTERS")

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

*RECEIVED OCT 02 2003
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Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 23859

September 26, 2003

Dear Sir:

Applicant or patent owner hereby appeals under 37 C.F.R. §1.191 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated March 26, 2003 finally rejecting claims 12-23, 25 and 26.

A Credit Card Payment Form PTO-2038 authorizing payment in the amount of \$1,250.00, representing \$930.00 for the fee for a large entity under 37 C.F.R. § 1.17(a)(2) and \$320.00 for the fee for a large entity under 37 C.F.R. § 1.17(b) are enclosed. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

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APPLICATION NO.09/462,955

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

Gwendolyn D. Spratt
Gwendolyn D. Spratt
Registration No. 36,016

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NEEDLE & ROSENBERG, P.C.
Customer Number 23859
(678) 420-9300
(678) 420-9301 (fax)

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Gwendolyn D. Spratt
Gwendolyn D. Spratt

9-26-03

Date